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**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**AGRICULTURAL ADJUSTMENT ADMINISTRATION**

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**INSTRUCTIONS FOR HOLDING REFERENDUM ON RICE  
MARKETING QUOTA FOR THE MARKETING YEAR  
BEGINNING AUGUST 1, 1939**

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Pursuant to Section 355 of the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture is directed to conduct a referendum by secret ballot of producers who would be subject to the national marketing quota for rice for the marketing year beginning August 1, 1939, which will be held on Saturday, December 10, 1938, in order to determine whether they favor or oppose such marketing quota. Such quota will be in effect unless more than one-third of the producers voting in the referendum oppose it.

**A. VOTING ELIGIBILITY**

1. Every producer (a) who was engaged in the production of rice in 1938 and who on the date of the referendum has available land or equipment suitable for the production of rice in 1939 and has not abandoned or signified his intention to abandon the production of rice in 1939 or (b) who at the time of holding the referendum has made definite arrangements for engaging in the production of rice in 1939 is entitled to vote. As used herein the term "producer" means an owner-operator, cash or standing-rent tenant, landlord of a share tenant, share tenant, or sharecropper, who is or will be entitled to the whole or a share of the 1939 rice crop or its proceeds.

2. No rice producer (whether an individual, partnership, corporation, firm, association, or other legal entity) shall be entitled to more than one vote in the referendum, even though he may engage in 1939 in the production of rice in two or more communities, counties, or States.

3. If a community referendum committee determines that a producer residing in the community within the jurisdiction of that committee is eligible to vote in another community, the committee may issue a ballot to him and permit him to cast a ballot, provided the committee also determines that such producer has not previously cast a ballot in another community. If the committee cannot so determine, the committee shall "challenge" the ballot as hereinafter outlined.

4. There shall be no voting by proxy or agent, but a duly authorized member of a partnership or officer of a corporation, firm, association, or other legal entity shall be allowed to cast its vote.

5. In case several persons, such as husband, wife, and children, have made definite arrangements to engage together in the production of rice in 1939 under a lease or sharecropping agreement, only the person or persons who signed or entered into the lease or sharecropping agreement shall be eligible to vote.

6. If two or more persons have made definite arrangements to engage in producing rice in 1939 as joint tenants, tenants in common, or owner-operators of community property, each such person is entitled to vote.

## B. INSTRUCTIONS TO COUNTY COMMITTEE

The county agricultural conservation committee (hereinafter referred to as the county committee) shall be responsible for the proper holding of the referendum in the county on Saturday, December 10, 1938, and it shall:

1. Designate one readily accessible place for balloting in each community and give public notice of the time and place for balloting by posting a notice on form Rice 301, "Notice—Rice Marketing Quota Referendum," at one or more places open to the public within each community at least 5 days in advance of the date of the referendum. In counties with less than 50 rice producers the county committee may treat the county as one community for the purpose of the referendum and hold the referendum and perform the duties both of county committee and of community referendum committee.

2. Make use (without advertising expense) of all available agencies of public information, including newspapers and radio, to give rice producers in the county full and accurate public notice of the day and hours of voting, the location or polling places, and the rules governing eligibility to vote. Public notice should be given as soon as practicable after the plans for holding the referendum in the county have been made, but must be given at least 5 days in advance of the date of the referendum.

3. Designate three farmers as members of the community referendum committee in each community to conduct the referendum in such community and name one of the members chairman of the committee. In those communities where the cotton referendum is being held, the county committee may designate one community referendum committee to conduct the referenda on both cotton and rice.

4. See that each community referendum committee is provided with a suitable ballot box.

5. Prepare for each community in the county a list of the names and addresses of all producers in such community who were engaged in the production of rice during 1938. If lists of such persons by communities are already available to the county committee, such lists may be turned over to the community referendum committees.

6. Deliver a supply of forms Rice 302, "1939 Rice Marketing Quota Referendum Ballot", and form Rice 304, "Community Summary of 1939 Rice Marketing Quota Ballots", as well as a supply of blank forms Rice 303, "Register of Ballots—1939 Rice Marketing Quota Referendum", to the chairman of the respective community referendum committee.

7. See to it that the community referendum committees understand their duties as to (a) issuing ballot forms, (b) recording votes on forms Rice 303, (c) tabulating ballots, and (d) certifying results of the referendum in the community.

8. See that appropriate measures are taken to insure that the referendum is conducted by secret ballot.



9. Notify the State committee by telephone or telegraph or in person as soon as possible after the closing of the polls as to the preliminary count of "yes" and "no" votes in the county.

10. Meet not later than 8:30 A. M. Monday, December 12, 1938, for the purpose of receiving and tabulating the data from forms Rice 304 on form Rice 305, "County Summary of 1939 Rice Marketing Quota Ballots." Such meeting shall be open to the public. Four copies of Rice 305, showing the county results, shall be prepared and certified, two copies of which shall be sent to the State agricultural conservation committee (hereinafter referred to as State committee) not earlier than 4 calendar days or later than 6 calendar days after the date of the referendum, one copy posted for 60 days in a conspicuous place accessible to the public in or near the office of the county committee (hereinafter referred to as the county office), and one copy permanently filed in the county office. One copy of each executed form Rice 304 shall be posted for 60 days in a conspicuous place accessible to the public in or near the county office.

11. Notify the State committee as soon as possible by mail on form Rice 305 as to the final outcome of the referendum in the county.

12. Make an investigation in each case of controversy or dispute regarding eligibility of a voter to vote in the referendum. Where a ballot is contained in a sealed envelope marked "Challenged" by the community referendum committee and bearing the voter's name and a statement of the reason for the challenge the eligibility of such person shall first be determined. If it is determined that such person is eligible, the envelope shall be opened and the ballot placed with the challenged ballot of every other person found to be eligible and when all the challenged ballots shall have been passed upon by the committee those ballots found to be valid shall be tabulated in the county summary. If it is determined that such person is not eligible, the envelope shall not be opened but shall be preserved with the ballots as provided in paragraph 14 of this section B.

13. Make an investigation in each case of dispute regarding the correctness of the summary of the referendum in a community. No dispute shall be investigated by the county committee unless it is brought to its attention within 3 calendar days after the date on which the referendum was held. The county committee shall promptly decide the dispute and immediately report its finding to the State committee and send by registered mail or deliver in person to the State office all voted ballots, register forms, and community summary sheets involved in the dispute.

14. Seal the voted ballots, challenged ballots found ineligible, register sheets, and community summary sheets for the county in one or more envelopes or packages (marked "Rice Referendum 1939" followed by the name of the county), and place them under lock and key in a safe place under the custody of the secretary of the county agricultural conservation association for a period of 60 calendar days from the date of the referendum. If no notice to the contrary is received by the end of such time, the ballots shall be destroyed and the register and community summary sheets permanently filed in the county office.

### C. INSTRUCTIONS TO COMMUNITY REFERENDUM COMMITTEES

Each community referendum committee designated by the county committee shall:

1. Arrange, with the assistance of the county committee, for conducting the referendum by secret ballot.

2. Assist the county committee in giving adequate public notice of the time and place for casting ballots at least 5 days in advance of the date on which the referendum will be held.

3. Provide a place where each eligible producer can prepare and cast a ballot in secret and without interference.

4. Provide a ballot box. Any container so arranged that ballots cannot be seen and cannot be removed without breaking seals on the container will be suitable. If strip adhesive paper or similar seals are used, such seals should be signed or initialed so that breaking or replacing the seal will affect or destroy the identifying marks and show that the seal has been tampered with.

5. Open the polls not later than 9:00 A. M., local standard time, on Saturday, December 10, 1938.

6. Hold the referendum in a fair and unbiased manner and see that appropriate measures are taken to insure that it is conducted by secret ballot.

7. See that no device is used whereby any voter's ballot may be identified (except in the case of a challenged ballot), and instruct each voter as he is handed a ballot form as to the procedure to be followed in casting his ballot and to fold his ballot before he places it in the ballot box after he has marked it to show which way he votes.

8. Issue a ballot to each person who is eligible to vote and to each person who claims to be eligible to vote and insists upon voting even though his eligibility is challenged by the committee. Every unchallenged ballot shall be placed in the ballot box by the person who voted it. In every case where the eligibility of the voter is challenged, his ballot, after being marked by the challenged person, shall be placed (by him, or by the committee if he refuses) in an envelope and shall be sealed and marked with his name, and the word "Challenged", and a statement of the reason for the challenge, and the envelope shall then be placed in the ballot box. The letter "C" shall be entered with a red pencil on form Rice 303 immediately to the left of the name of each person whose vote is challenged.

9. Enter an "X" in the designated column on form Rice 303 beside the name of each producer to whom a ballot is issued and who places his ballot in the ballot box (whether or not his ballot is challenged).

10. Record on form Rice 303 the name and address of each producer to whom a ballot is issued.

11. Close the polls and discontinue acceptance of ballots at 5:00 P. M., local standard time (unless a later hour is fixed by the State committee) on the date of the referendum.

12. Immediately after closing the polls, open the ballot box and canvass the ballots cast, which canvass shall be kept open to the public.



13. Tabulate and record the results of the referendum on form Rice 304. The number of challenged ballots cast shall be entered on form Rice 304 in the space provided and will not be shown as being either for or against the marketing quota. If any ballot is found to be mutilated or marked in such a way so that it cannot be determined whether the voter approved or opposed the marketing quota, it shall not be counted as a ballot cast, but the number of such spoiled ballots shall be entered in the space provided, and such ballots placed in an envelope marked "Spoiled Ballots", followed by the designation of the community.

14. Certify to the accuracy of the executed forms Rice 303 and 304 by signing in the spaces provided.

15. Notify the county committee by telephone or in person as soon as possible after the closing of the polls as to the preliminary count of "yes" and "no" votes in the community.

16. Seal the voted ballots (including those challenged), the spoiled ballots, the register sheet, and the community summary in one or more envelopes appropriately identified by the designation of the community and deliver them to the county committee not later than 8:30 A. M., Monday, December 12, 1938, with the unused ballots and other forms. The chairman of the community referendum committee shall be responsible for the safe delivery of such reports, ballots, and forms to the county committee.

17. Post an executed copy of form Rice 304, as soon as it is executed, at a conspicuous place at the polling place and see that it remains posted and accessible to the public for at least 3 calendar days after the date of the holding of the referendum.

#### D. INSTRUCTIONS TO STATE COMMITTEE

The State committee shall be in charge of and responsible for the conducting of the referendum in the State and shall:

1. Summarize on form Rice 306, "State Tabulation of 1939 Rice Marketing Quota Ballots", the information contained on the forms Rice 305 reported to it and forward via air mail special delivery two fully executed forms Rice 306 to the applicable regional director, Agricultural Adjustment Administration, Washington, D. C., not later than 10 calendar days after the date of the referendum. If one sheet proves insufficient for listing the information with respect to all counties in the State, additional sheets properly numbered and identified and securely attached to the first sheet may be used for continuation, in which case totals and signatures should be entered only on the last sheet. One fully executed copy of each form Rice 305 and form Rice 306 shall be permanently filed in the State office of the Agricultural Adjustment Administration.

2. Complete the investigation of any report from any county regarding controversies, irregularities, or the correctness of summaries of the referendum, not later than 10 calendar days after the date of the referendum, and forward its findings in such cases to the applicable regional director.

## E. INSTRUCTIONS APPLICABLE TO THE TERRITORY OF HAWAII

In the event State and county agricultural conservation committees have not been established in the Territory of Hawaii, the Officer in Charge, Agricultural Adjustment Administration, Territory of Hawaii, shall perform the duties of both the State and county committees as set forth in sections "B" and "D" of these instructions.

## F. RESULTS OF REFERENDUM

Final and official tabulation of the votes cast in the referendum will be made by the Agricultural Adjustment Administration and the result of the referendum announced by the Secretary of Agriculture. The reports on Rice 306 and related papers shall be permanently filed with such tabulation and shall remain available for public inspection.

Each county committee is authorized to give out unofficial reports of the total "yes" and total "no" votes in its county to the public press and to other inquirers. The State committee is authorized to release to the press and other inquirers the unofficial results of the referendum for the respective State by counties as rapidly as the votes in the various counties are tabulated.

If the Administrator of the Agricultural Adjustment Administration or the Secretary of Agriculture deems it necessary, the report of any community referendum committee, county committee, or State committee shall be reexamined and checked by such persons or agencies as may be designated.

Done at Washington, D. C., this 9th day of November, 1938. Witness my hand and the seal of the Department of Agriculture.



*Hawallace*

*Secretary of Agriculture.*





